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October 18, 2023

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Cheryl L. Pollak, U.S.M.J.
225 Cadman Plaza East
Courtroom 13B South
Brooklyn, NY 11201-1804

Re: Kalief Williams v. The Russo's Payroll Group, Inc. *et al.*
Case No. 21-cv-2922 (EK) (CLP)
MLLG File No.: 75-2021

Dear Judge Pollak:

This firm represents the Defendants in the above-referenced case. We are in receipt of the Scheduling Order by the Court on October 16, 2023. Defendants write to bring to the Court's attention that Plaintiff failed to meet-and-confer on the substantive issues prior to filing his motion to compel. See Fed. R. Civ. P. 37(a)(1); see also LCR 37.3(a). While it is true that the parties met and conferred about Plaintiff's request for Defendants to file discovery responses (which were served on October 6, 2023, as demanded by the Plaintiff), the parties have not spoken about the substance of Defendants' responses and, in fact, have not spoken nor met and conferred at all since Defendants served their responses, i.e., since October 6, 2023.

In light of the foregoing, Defendants respectfully request guidance from the Court as to whether the parties should first meet-and-confer prior to submitting Defendants' response to Plaintiff's motion to compel in order to attempt to work out the issues raised by Plaintiff prior to intervention by this Court.

Dated: Lake Success, New York
October 18, 2023

Respectfully submitted,
MILMAN LABUDA LAW GROUP PLLC

/s

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